

Message

---

**From:** Hanes, James (DHSS) [James.Hanes@delaware.gov]  
**Sent:** 12/2/2022 6:22:27 PM  
**To:** Crumlish, Karen [Crumlish.Karen@epa.gov]; Carlson, Jennifer (K12) [jennifer.carlson@doe.k12.de.us]; Richardson, William [Richardson.William@epa.gov]  
**CC:** Klein, Kimberly (K12) [kimberly.klein@doe.k12.de.us]; Mack, Jamie (K12) [jamie.mack@doe.k12.de.us]; Robinson, Jonathan (DHSS) [Jonathan.Robinson@delaware.gov]; heather.warren [heather.warren@delaware.gov]  
**Subject:** RE: [External] FW: Lead Letter from DSEA

Good afternoon,

Below are answers to some of the additional items requested by EPA

Per our discussion yesterday, here is a list of the additional items EPA has requested:

- Communication plan to document communication processes related to grant terms and conditions and 3Ts guidance (e.g., who will conduct sampling, where and when samples will be collected, how stagnation times will be recorded, use of a certified lab, timeframe for communicating results to the public, etc.).
- For outlets that have tested 7.5 ppb and above, whether consumption points or non-consumption points, a summary of steps taken to date and Delaware's recommendations about proposed next steps. – this information was sent along in the email with the data to be reviewed. Information including steps taken and planned mitigation are included in the Excel sheet for each consumption point along with the majority of non-consumption points. Also, included was correspondence from each district about actions taken to include visual inspection reports from DPH teams conducted on 11/22 and 11/23.
- Please include specific areas where feedback is requested. – all consumption points on the data sheet were highlighted for ease of review.
- Where there is variation in sample results collected from a location on different dates, please provide information about why DE believes this could have occurred (e.g. improper stagnation time, etc.). – from all resampling that was conducted after March 1, 2022 DE believes the results were lower than initial due to proper stagnation times, sampling appropriate fixtures within the building, and following sampling guidance from the 3Ts.
- Include information about comparable taps within specific buildings. – Due to how the initial sampling was carried out, this information is not available for the initial samples. However, most of the initial sampling (2020-21) was done on non-consumption points due to COVID restrictions and instructions samplers received with sampling supplies. Resampling efforts (after March 2022) by DPH indicated the majority of fixtures of concern were kitchen prep sinks and sinks used within teachers lounges. The few water fountains in various buildings that were elevated, were individual fixture based since all consumption points were sampled during resampling. Comparable fixtures would have had similar levels from resampling if the exposure was due to make and model or time of install. Mitigation to all consumption fixtures above 7.5 have either been completed by the district or are in the planning phases. Fixtures with completed mitigation are to be resampled to ensure levels have been reduced to within acceptable limits before returning to service. Mitigation included either fixture replacement, removal, or installation of approved inline POU filters.
- A date on which DE began using the modified sampling protocol which aligns with the 3Ts guidance. Please include the date in sampling protocol document. – Modified sampling plan was put into place March 1, 2022.
- For schools that conducted independent third-party lead sampling, please provide documentation that the sampling followed all 3Ts guidance. – Only one SD had completed third party sampling that was included in the data review, Red Clay SD. The report from Batta was included in the email submittal and more information was requested to show Batta followed proper sampling procedures – 3Ts.
- Grant amendment (workplan, revised budget, 424A form) to incorporate use of a contract lab, potential for use of a third-party sampler, and remediation costs.
- Processes for future follow-up and new sampling (e.g., prioritization process for resampling consumptive locations with previously elevated results, new sample selection process, how appropriate stagnation time will be ensured, etc.). – Follow up sampling will be conducted by a contractor following the new and approved sampling plan to include verification of appropriate stagnation times, sampling plans, and sampling procedures. Prioritization of resampling consumptive locations with previously elevated results will be based on completion of mitigation,

percentage of students on free or reduced lunch, and initial elevated results (highest testing fixtures first and then continuing to work down to 7.5 until we reach our goal of reducing lead levels ALARA).

- For consumption points where filters are used, describe the process to ensure that filters are certified to remove lead and are replaced appropriately. – For locations where filters were recommended, each district was given specific instructions on how to select the appropriate filter – NSF 53 or NSF 58 for RO systems that is also certified under NSF 53. Regarding filter replacement, districts must include within their workorder systems timing of filter replacements based on recommendations from the filter manufacturer, whether it is based on number of gallons treated or recommended time frames for replacement.

Please let me know if you have any additional questions to the responses above.

Thank you,

**James Hanes, MHP**

*Environmental Scientist IV*

*Environmental Hazards & Toxicology*

*Health Systems Protection*

Office: (302) 744-4824

[james.hanes@delaware.gov](mailto:james.hanes@delaware.gov)

**Confidentiality Notice:** This electronic message and any attachment(s) are confidential and may be subject to the attorney/client privilege and/or work product immunity. This e-mail is only for the use of the intended recipient(s). If you have received this e-mail in error, please notify the sender immediately by replying to this e-mail, then delete this message and any attachment(s) from your system. Any unintended transmission expressly shall not waive the attorney/client privilege or any other privilege.

---

**From:** Crumlish, Karen <Crumlish.Karen@epa.gov>

**Sent:** Thursday, December 1, 2022 1:02 PM

**To:** Carlson, Jennifer (K12) <jennifer.carlson@doe.k12.de.us>; Richardson, William <Richardson.William@epa.gov>

**Cc:** Klein, Kimberly (K12) <kimberly.klein@doe.k12.de.us>; Mack, Jamie (K12) <jamie.mack@doe.k12.de.us>; Hanes, James (DHSS) <James.Hanes@delaware.gov>

**Subject:** RE: [External] FW: Lead Letter from DSEA

Good afternoon, all. Thank you for submitting previously requested documents to EPA including the revised WIIN 2107 QAPP, specific sample results for each School District collected to date, and information about Delaware's sampling protocol.

Per our discussion yesterday, here is a list of the additional items EPA has requested:

- Communication plan to document communication processes related to grant terms and conditions and 3Ts guidance (e.g., who will conduct sampling, where and when samples will be collected, how stagnation times will be recorded, use of a certified lab, timeframe for communicating results to the public, etc.).
- For outlets that have tested 7.5 ppb and above, whether consumption points or non-consumption points, a summary of steps taken to date and Delaware's recommendations about proposed next steps.
  - Please include specific areas where feedback is requested.
  - Where there is variation in sample results collected from a location on different dates, please provide information about why DE believes this could have occurred (e.g. improper stagnation time, etc.).
  - Include information about comparable taps within specific buildings.
- A date on which DE began using the modified sampling protocol which aligns with the 3Ts guidance. Please include the date in sampling protocol document.
- For schools that conducted independent third-party lead sampling, please provide documentation that the sampling followed all 3Ts guidance.
- Grant amendment (workplan, revised budget, 424A form) to incorporate use of a contract lab, potential for use of a third-party sampler, and remediation costs.

- Processes for future follow-up and new sampling (e.g., prioritization process for resampling consumptive locations with previously elevated results, new sample selection process, how appropriate stagnation time will be ensured, etc.).
- For consumption points where filters are used, describe the process to ensure that filters are certified to remove lead and are replaced appropriately.

Per previous discussions, feel free to provide these documents as they are available.

We are in communication with OW about Delaware's request to use state funding for lead testing in schools in accordance with 3Ts and the QAPP while remaining paused on activities under the WIIN 2107 grant, and will be in touch as soon as possible.

Please let us know if you have any questions.

Thank you,

Karrie



Karrie Crumlish (*she/her*)  
 Chief, Drinking Water & Source Water Protection Branch (3WD20)  
 US EPA Mid-Atlantic Region  
 Four Penn Center  
 1600 John F. Kennedy Boulevard  
 Philadelphia, PA 19103-2852  
 Phone 215-814-3398  
 Email [crumlish.karen@epa.gov](mailto:crumlish.karen@epa.gov)




---

**From:** Carlson Jennifer <[Jennifer.Carlson@doe.k12.de.us](mailto:Jennifer.Carlson@doe.k12.de.us)>

**Sent:** Thursday, December 01, 2022 11:45 AM

**To:** Crumlish, Karen <[Crumlish.Karen@epa.gov](mailto:Crumlish.Karen@epa.gov)>; Richardson, William <[Richardson.William@epa.gov](mailto:Richardson.William@epa.gov)>

**Cc:** Klein Kimberly <[Kimberly.Klein@doe.k12.de.us](mailto:Kimberly.Klein@doe.k12.de.us)>; Mack Jamie <[Jamie.Mack@doe.k12.de.us](mailto:Jamie.Mack@doe.k12.de.us)>; Hanes, James <[james.hanes@delaware.gov](mailto:james.hanes@delaware.gov)>

**Subject:** RE: [External] FW: Lead Letter from DSEA

Good Morning,

I am just following up on the list of outstanding items for Delaware. As well as, written confirmation that Delaware can proceed with testing using an independent contractor if not using federal funds as long as we follow the 3Ts and QAPP plan (I believe that is what was shared yesterday on our call).

Thank you,

Jenn

---

**From:** Crumlish, Karen <[Crumlish.Karen@epa.gov](mailto:Crumlish.Karen@epa.gov)>

**Sent:** Wednesday, November 30, 2022 3:47 PM

**To:** Carlson Jennifer <[Jennifer.Carlson@doe.k12.de.us](mailto:Jennifer.Carlson@doe.k12.de.us)>; Mack Jamie <[Jamie.Mack@doe.k12.de.us](mailto:Jamie.Mack@doe.k12.de.us)>; Hanes, James <[james.hanes@delaware.gov](mailto:james.hanes@delaware.gov)>

**Cc:** Richardson, William <[Richardson.William@epa.gov](mailto:Richardson.William@epa.gov)>

**Subject:** [External] FW: Lead Letter from DSEA

**Importance:** High

<p><b>WARNING: External Email</b> - This email originated outside of the State email system.  <b>DO NOT CLICK</b> links or attachments unless you recognize the sender and <i>are expecting</i> the email.</p>
--

Hi all,

Please see the attached letter EPA received from the Delaware State Education Association. We will be preparing a response.

Thank you,

Karrie



Karrie Crumlish (*she/her*)

Chief, Drinking Water & Source Water Protection Branch (3WD20)

US EPA Mid-Atlantic Region

Four Penn Center

1600 John F. Kennedy Boulevard

Philadelphia, PA 19103-2852

Phone 215-814-3398

Email [crumlish.karen@epa.gov](mailto:crumlish.karen@epa.gov)



---

**From:** Dearman, Sandy [DE] <[Sandy.Dearman@DSEA.org](mailto:Sandy.Dearman@DSEA.org)>

**Sent:** Wednesday, November 30, 2022 2:31 PM

**To:** Rizzo, George <[Rizzo.George@epa.gov](mailto:Rizzo.George@epa.gov)>; Sherwood, Kelly <[Sherwood.Kelly@epa.gov](mailto:Sherwood.Kelly@epa.gov)>; Regan, Michael <[Regan.Michael@epa.gov](mailto:Regan.Michael@epa.gov)>; Ortiz, Adam <[Ortiz.Adam@epa.gov](mailto:Ortiz.Adam@epa.gov)>; Crumlish, Karen <[Crumlish.Karen@epa.gov](mailto:Crumlish.Karen@epa.gov)>

**Cc:** Ingram, Stephanie [DE] <[Stephanie.Ingram@DSEA.org](mailto:Stephanie.Ingram@DSEA.org)>; Wright, David [DE] <[David.Wright@DSEA.org](mailto:David.Wright@DSEA.org)>; Taschner, Jeff [DE] <[Jeff.Taschner@DSEA.org](mailto:Jeff.Taschner@DSEA.org)>; McGonigle, Patricia [DE] <[Patricia.McGonigle@DSEA.org](mailto:Patricia.McGonigle@DSEA.org)>

**Subject:** Lead Letter from DSEA

**Importance:** High

Good Afternoon – Attached please find a letter regarding lead testing in Delaware from the Delaware State Education Association. Should have any questions, please feel free to contact Stephanie Ingram at (302) 734-5384.

Sandy Dearman (on behalf of Stephanie Ingram)

**Sandy Dearman, Executive Assistant**  
**Delaware State Education Association**  
**136 East Water Street**  
**Dover, DE 19901**  
**(302) 734-5834**  
**(302) 674-8499 (fax)**

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without DSEA's prior permission. If the reader of this message is not the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system.

NOTICE: Only the individual sender is responsible for the content of the message, and the message does not necessarily reflect the position or policy of the Delaware State Education Association.